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SUBJECT: FRAUD SUMMARY - BRAZZAVILLE

REF: BRAZZAVILLE 0272

¶1. Embassy Brazzaville is an unclassified post.

¶2. For the first time in 12 years, full scale NIV, IV and ACS consular services are now available at Embassy Brazzaville. NIV and ACS operations went live with the opening of the New Embassy Compound in February 2009. IV operations resumed in late July 2009. Brazzaville is a high fraud environment and this new Consular Section continues to train its new staff, develop fraud prevention techniques, and build the strong relationships with local institutions necessary to effectively combat fraud.

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Country Conditions  
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¶3. The Republic of the Congo (ROC), commonly called Congo-Brazzaville to distinguish it from the DRC, is geographically slightly larger than the State of New Mexico. The country is bordered by Cameroon and the Central African Republic to the north, Angola (the Cabinda enclave) to the south, the DRC to the east and the Republic of Gabon and Atlantic Ocean to the west. ROC remains a post-conflict country and the years of conflict have had a devastating impact on the economy, educational system, infrastructure, health and medical systems, and welfare of its people. However, since the signing of peace accords between the government and the last remaining rebel forces the peace trend has been progressively consolidated. ROC's sparse population, estimated at nearly 3.8 million, is concentrated in the southwestern portion of the country, with about 70 percent of its total population living in Brazzaville, Pointe-Noire or along the 332-mile railway connecting the two cities. Years of mismanagement, neglected infrastructure, corruption, and conflict have left the ROC with per capita income of about USD \$1,100 per year, widespread unemployment, and an economy dominated by the informal sector. In fact, the 2007/8 United Nations human development index ranked the ROC 139th out of a total of 177 countries.

¶4. All these factors create a strong recipe for fraud in ROC, as people seek to flee the rampant poverty, ingrained corruption and low standards of living. Thus, widespread fraud is found among all categories of visa applicants, albeit typically at a low or rudimentary level. Genuine birth certificates and other forms of identity are easily obtained using fictitious biographic information and the attestation of three witnesses, thereby facilitating the issuance of multiple passports with different names and dates of birth. Names continue to pose a problem for current fraud detection algorithms, as passports are frequently issued with different variations of family or first names (with first names either omitted or included as part of the surname in subsequent passports).

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NIV Fraud  
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¶15. Approximately 60 percent of B1/B2 applicants present fraudulent documents such as fake bank statements or letters of introduction. Post has also witnessed a recent increase fake entry and exit stamps from the ROC and the United Arab Emirates. The fraudulent documents are of varying qualities. Most fakes are low level fraud easily detectible. However, given that many banks often use several varieties of statements, a close working relationship with financial institutions has proved essential for higher levels of fraud. The most challenging type of fraud related to bank statements involves applicants who present a mix of real and fake documents. In the last three months post has encountered numerous individuals who present real check books and real bank id cards with a fake bank statement. These individuals actually have legitimate accounts at the banks, however, they use fake bank statements to misrepresent their balance.

¶16. West African (primarily Malian and Senegalese) merchants who control retail trade in the ROC represent about 10 percent of B1/B2 applications received at post, but 40% of all refusals. Overall, post refuses approximately 60 percent off all Malian applicants and 70 percent of all Senegalese.

¶17. About 20 percent of post's NIV applicants are official or governmental travelers. An area of particular concern with official travelers is the noted increase over the past several years in the instances of official passports and government travel orders issued to mala fide applicants. In July 2009, an applicant with an official passport and travel orders came back with IDENT/FR hits for having previously applied for a visa using a different identity in December 2008. A joint investigation with the RSO revealed that the applicant had actually purchased all the documents from a vendor. The vendor was subsequently located and arrested by Congolese

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authorities.

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IV Fraud  
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¶18. Brazzaville resumed Immigrant Visa operations in late July 2009. This is the first time in twelve years that IV applications are being processed in country and the staff is still working to develop the skills and contacts necessary to carry out the thorough document checks that IV applications necessitate.

¶19. Post inherited approximately 70 pending IV cases from Kinshasa. The majority of these cases are incomplete follow-to-join asylee beneficiaries. We have also processed approximately 5 immediate relative applications since IV operations began. As ever, a loose definition of family - with cousins, uncles and so on considered part of the nuclear family - combined with a critical lack of reliable civil documentation make IV cases challenging. ROC still has no standard format for documenting the major life points - birth, death, marriage, adoption or divorce - and civil law regarding issuance of these documents is unevenly applied. DNA testing is recommended in many cases involving children. Marriage fraud exists in asylum cases as well as IR petitions and while post has not yet found evidence of payment for marriages, most applicants have a very difficult time demonstrating an ongoing relationship. Age fraud is common among IV applicants and post has uncovered through interviews married children attempting to pass as unmarried sons and daughters.

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DV Fraud  
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¶10. Post finds instances of fraud in the vast majority of its DV cases, typically via falsified diplomas and other "supporting" educational documentation. Pop-up marriages also are common, with applicants fraudulently claiming as a spouse

someone with whom they cannot prove a legitimate relationship. Post relies upon FPU investigations and strategic interviews with applicants to discern fraud.

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ACS and U.S. Passport Fraud  
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¶11. With a small-sized, resident American citizen community, few tourists, and a solid fraud prevention program in place, post has had no cases of ACS or U.S. passport fraud since October 2007.

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Adoption Fraud  
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¶12. Adoption cases are historically rare in ROC, with few cases in the last six years. Thus, post has had to deal with some adoption cases related to IV visas issuances. The cases were proven to be conformed to the local procedures although it was somehow difficult to establish the relationships. But post will remain vigilant on these issues.

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Use of DNA testing  
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¶13. In some cases, post recommends DNA testing as a means of verifying claims of parental/child relationships in IV cases, predominately for Visas 92/93 applicants.

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Asylum (and other DHS benefits) Fraud  
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¶14. As with DV fraud, most of post's asylum fraud is related to false relationship claims.

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Alien smuggling, trafficking, organized crime, terrorist travel  
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¶15. ROC was on the Tier 2 Watch list for the second year in a row on the 2009 Trafficking in Persons Report and is a source and destination country for persons being trafficked.

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DS criminal fraud investigations  
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¶16. The RSO office provides excellent support for the Consular office regarding fraud investigation. In recent months there have been several referrals to the RSO office that have led to arrests. Most recently, a fraud pattern was exposed where applicants acquired bogus immigration entry and exit stamps for the United Arab Emirates and the Republic of Congo ostensibly to bolster the legitimacy of status as businessmen. The collaboration of the Consular, the RSO and Congolese law enforcement, resulted in the arrest of four individuals over a span of 3 days (REFTEL).

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Host country passport, identity documents, and civil registry  
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¶17. New machine-readable, computer-generated passports in circulation since February 2008 have vastly improved the quality and security of previous ROC passports. The new passports include such security features as holograms, and come in three types: diplomatic (red), official (blue) and regular (brown). In 2007, ROC ran out of its supply of regular passports and began using a system of annotated official passports, with the "Code ETR" denoting official travelers and "Code A" denoting regular

travelers. Those annotated passports will remain in circulation through their expiration dates, meaning a mixture of valid ROC passports will be in use for the next several years to come. As always, there are no indications that the lax passport issuance controls of the past have been improved and post continues to watch for instances of passport fraud. Genuine birth certificates and other forms of identity are easily obtained using fictitious biographic information and the attestation of three witnesses, thereby facilitating the issuance of multiple passports with different names and dates of birth.

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#### Cooperation with Host Government Authorities

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¶18. The level of cooperation with the Ministry of Foreign Affairs and the immigration authority remains excellent and, through post's RSO and security staff, relations with police and law enforcement officials are good. Local capacity, however, is limited. Local officials do not see visa or passport fraud as a high priority, but they have been willing to pursue cases developed by post.

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#### Areas of Particular Concern

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¶19. Brazzaville is resuming full scale operations after a twelve year hiatus. Most consular operations including Fraud Prevention must be rebuilt from the ground up. This reconstruction project is being led by a first tour junior officer and three locally engaged staff. The only LES with more than 9 months experience has just left the section to take a new job.

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#### Staffing and Training

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¶20. Brazzaville is a one officer post. Consular operations were re-launched under the supervision of a TDY WAE Consul. The entire operation was turned over to a first tour officer 10 days after arrival at post. All three locally engaged staff working in the consular section have less than one year's experience.

¶21. The limited experience of the section makes training a priority for all staff. The LES have all completed PC 102, PC 103, and PC 104. The LES in charge of fraud investigations is also enrolled in the online Fraud Prevention course. The Consular Officer has not had any additional fraud prevention training beyond ConGen.

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